

Message Text

UNCLASSIFIED

PAGE 01 TOKYO 00998 01 OF 02 241428Z

45

ACTION EA-10

INFO OCT-01 ISO-00 ACDA-10 AEC-07 AECE-00 IO-10 OES-05

OMB-01 CIAE-00 PM-03 H-02 INR-07 L-02 NSAE-00 NSC-05

PA-02 RSC-01 PRS-01 SP-02 SS-15 USIA-15 DLOS-05 /104 W

----- 025705

P 240845Z JAN 75

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 7529

INFO SECDEF WASHDC PRIORITY

JCS WASHDC PRIORITY

CNO WASHDC PRIORITY

CINCPAC HONOLULU PRIORITY

COMUSJAPAN YOKOTA AB PRIORITY

COMNAVFORJAPAN YOKOSUKA PRIORITY

COMSEVENTHFHFLT YOKOSUKA PRIORITY

CG 5TH AF YOKOTA AB JAPAN

AOMCONSUL NAHA 1645

CINCPACFLT MAKALAPA

CINCPACAF HICKAM

AMEMBASSY CANBERRA

AMEMBASSY MANILA

AMEMBASSY SEOUL

UNCLAS SECTION 1 OF 2 TOKYO 0998

CINCPAC FOR POLAD

E.O. 11652: N/A

TAGS: MARR, JA

SUBJECT: GOJ FORMAL WRITTEN STATEMENT ON NUCLEAR TRANSIT

REFS: A. STATE 015451 (NOTAL) B. TOKYO 0917 (NOTAL)

1. ON JANUARY 21, 1975, GOJ ISSUED FORMAL, WRITTEN UNIFIED
VIEW CONCERNING PASSAGE BY NUCLEAR-EQUIPPED SHIPS THROUGH
TERRITORIAL WATERS OF JAPAN. STATEMENT WAS RESPONSE TO
WRITTEN INTERPELLATION BY JSP MEMBER YANOSUKE NARAZAKI SUBMITTED
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 TOKYO 00998 01 OF 02 241428Z

TO SPEAKER OF LOWER HOUSE OF DIET OF DECEMBER 27, 1974. EMBASSY

TRANSLATION OF WRITTEN INTERPELLATION AND GOJ RESPONSE FOLLOWS
BELOW.

2. TEXT OF NARAZAKI WRITTEN INTERPELLATION:

QTE WRITTEN PURPORT OF INTERPELLATIONS CONCERNING THE GOVERNMENT'S
UNIFIED VIEW CENTERING ON PASSAGE THROUGH OUR COUNTRY'S
TERRITORIAL WATERS BY NAVAL SHIPS CARRYING NUCLEAR WEAPONS

I. WITH REGARD TO "MAJOR CHANGES IN EQUIPMENT OF THE SAID
ARMED FORCES," REFERRED TO IN THE EXCHANGE DOCUMENTS CONCERNING
THE IMPLEMENTATION OF ARTICLE 6 OF THE JAPAN-US SECURITY TREATY,
I REQUEST CLARIFICATION OF THE GOVERNMENT'S VIEWS ON THE
FOLLOWING POINTS:

1. IN THE CONTEXT OF THE EXCHANGE DOCUMENTS, IS IT NOT
THAT THE "SAID ARMED FORCES", WHICH WILL BECOME AN OBJECT
OF PRIOR CONSULTATIONS AS "A MAJOR CHANGE IN EQUIPMENT",
ARE LIMITED TO THE "UNITED STATES FORCES DEPLOYED IN JAPAN"
AS REFERRED TO IN THE FOREGOING PARAGRAPH?

IS IT NOT THAT THE US GOVERNMENT, TOO, IS TAKING THAT
INTERPRETATION?

2. IF THE INTERPRETATION IS THAT, BESIDES THE US FORCES
DEPLOYED IN JAPAN, "MAJOR CHANGE IN EQUIPMENT" OF (THE
ARMED FORCES) INCLUDING THE US NAVAL SHIPS AND MILITARY
PLANES FOR TEMPORARY PASSAGE THROUGH TERRITORIAL WATERS
AND TERRITORIAL SKIES OR FOR TEMPORARY PORT CALLS AND
LANDING WILL BECOME OBJECTS OF PRIOR CONSULTATIONS, IN
WHICH SENTENCES AND WORDS SHOULD WE SEEK THE GROUNDS FOR
THAT INTERPRETATION, IN THE CONTEXT OF THE TEXT, SO
FAR AS THESE EXCHANGE DOCUMENTS ARE CONCERNED?

IF THAT IS THE INTERPRETATION BEING TAKEN, WAS THE
INTERPRETATION CONFIRMED AND AGREED UPON MUTUALLY WITH
THE US GOVERNMENT? IF THAT WAS AGREED UPON I REQUEST
CLARIFICATION OF THE FORM OF THE AGREEMENT, THE DATE,
THE PLACE, AND THE PERSONS RESPONSIBLE FOR THE
CONFIRMATION OF THE AGREEMENT.

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 TOKYO 00998 01 OF 02 241428Z

II. WITH REGARD TO THE GOVERNMENT'S UNIFIED VIEW CENTERING
ON PASSAGE THROUGH OUR COUNTRY'S TERRITORIAL WATERS BY
NAVALSHIPS CARRYING NUCLEAR WEAPONS, WHICH VIEW WAS
PRESENTED AT THE UPPER HOUSE CABINET COMMITTEE MEETING
ON DECEMBER 25, 1974, I REQUEST CLARIFICATION OF THE
GOVERNMENT'S VIEWS ON THE FOLLOWING POINTS:

1. IS THE "BRINGING IN OF NUCLEAR WEAPONS," REFERRED TO

IN THE UNIFIED VIEW, A COMPLETE SYNONYM FOR "A MAJOR CHANGE IN EQUIPMENT," AS REFERRED TO IN THE EXCHANGE DOCUMENTS CONCERNING ARTICLE 6 OF THE JAPAN-US SECURITY TREATY?

2. THE UNIFIED VIEW SAYS THAT "PRIOR CONSULTATIONS WILL BE HELD IN ALL CASES IN WHICH BRINGING IN OF NUCLEAR WEAPONS IS CARRIED OUT." DOES THIS "BRINGING IN OF NUCLEAR WEAPONS" INCLUDE TEMPORARY PASSAGE THROUGH TERRITORIAL WATERS OR TEMPORARY PORT CALLS BY NAVAL SHIPS WHICH ARE CONSTANTLY EQUIPPED WITH NUCLEAR WEAPONS?

3. THE UNIFIED VIEW SAYS THAT "PASSAGE THROUGH OUR TERRITORIAL WATERS BY FOREIGN NAVAL SHIPS, WHICH ARE CONSTANTLY NUCLEAR-EQUIPPED, SHALL NOT BE RECOGNIZED TO BE INNOCENT PASSAGE AS STATED IN PARA 4 OF ARTICLE 14 OF THE TERRITORIAL WATERS TREATY". HOWEVER, IT IS STATED IN PARA 4 OF ARTICLE 14 OF THE SAID TREATY THAT "PASSAGE IS HELD INNOCENT SO FAR AS IT DOES NOT IMPAIR THE PEACE, THE ORDER, OR THE SECURITY OF THE COASTAL NATION." IS THERE ANY GUARANTEE FOR THIS UNILATERAL ASSERTION BY JAPAN BEING INTERNATIONALLY RECOGNIZED AS AN EXCEPTION?

4. WAS THE UNIFIED VIEW CONFIRMED AND AGREED UPON MUTUALLY WITH THE US GOVERNMENT?

5. DO YOU HAVE AN INTENTION OF CONDUCTING RE-CO-ORDINATION WITH THE US GOVERNMENT ON THE INTERPRETATION OF PRIOR CONSULTATIONS?

6. WILL THIS UNIFIED VIEW BE FIRMLY MAINTAINED AND APPLIED, EVEN IN CASE TERRITORIAL WATERS ARE EXPANDED IN THE FUTURE, AT THE INTERNATIONAL CONFERENCE ON THE LAW OF THE SEA?

7. IN THE UNIFIED VIEW, (THE ASSERTIONS) ARE TO BE APPLIED
UNCLASSIFIED

UNCLASSIFIED

PAGE 04 TOKYO 00998 01 OF 02 241428Z

ALSO TO FOREIGN NAVAL SHIPS. THROUGH WHAT METHODS, CONCRETELY, WILL YOU REFUSE PASSAGE THROUGH OUR TERRITORIAL WATERS BY FOREIGN NAVAL SHIPS, OTHER THAN US NAVAL SHIPS, WHICH ARE CONSTANTLY EQUIPPED WITH NUCLEAR WEAPONS? I REQUEST CLARIFICATION OF THE METHODS AND MEANS FOR DIPLOMATIC NEGOTIATIONS ON IT.
I INTERPELLATE AS ABOVE. UNQTE

3. TEXT OF GOJ RESPONSE TO NARAZAKI:
WRITTEN REPLY TO INTERPELLATIONS BY LOWER HOUSE DIET MEMBER YANOSUKE NARAZAKI CONCERNING THE GOVERNMENT'S UNIFIED VIEW CENTERING ON PASSAGE THROUGH OUR COUNTRY'S TERRITORIAL WATERS BY NAVAL SHIPS CARRYING NUCLEAR WEAPONS
CONCERNING I:

THE "SAID ARMED FORCES", STATED IN "MAJOR CHANGES IN

EQUIPMENT OF THE SAID ARMED FORCES," IN THE EXCHANGE DOCUMENTS CONCERNING THE IMPLEMENTATION OF ARTICLE 6 OF THE SECURITY TREATY. MEAN THE UNITED STATES FORCES WHICH COME UNDER THE APPLICATION OF THE SECURITY TREATY, AND THEY ARE NOT LIMITED TO THE UNITED STATES FORCES STATIONED IN OUR COUNTRY. THIS IS CLEAR FROM THE CONTEXT OF THE EXCHANGE DOCUMENTS. THE GOVERNMENT HAS CLARIFIED IT REPEATEDLY SINCE THE 34TH DIET SESSION IN WHICH THE APPROVAL OF THE PRESENT SECURITY TREATY WAS SOUGHT. ON THIS POINT, NO OBJECTION HAS EVER BEEN RAISED BY THE US GOVERNMENT.

CONCERNING II:

1. "MAJOR CHANGE IN EQUIPMENT," STATED IN THE EXCHANGE DOCUMENTS CONCERNING THE IMPLEMENTATION OF ARTICLE 6 OF THE SECURITY TREATY, MEAN "BRINGING IN OF NUCLEAR WEAPONS AND MEDIUM AND LONG-RANGE MISSILES, AND THE CONSTRUCTION OF THEIR BASES". ON THIS, VERBAL UNDERSTANDING WAS REACHED BETWEEN FOREIGN MINISTER FUJIYAMA AND US AMBASSADOR MACARTHUR, WHO WERE THE THEN PARTIES TO THE NEGOTIATIONS. NEEDLESS TO SAY, THE "BRINGING IN OF NUCLEAR WEAPON," REFERRED TO IN THE UNIFIED VIEW, COMES UNDER "A MAJOR CHANGE IN EQUIPMENT."

HODGSON

UNCLASSIFIED

NNN

UNCLASSIFIED

PAGE 01 TOKYO 00998 02 OF 02 241020Z

45

ACTION EA-10

INFO OCT-01 ISO-00 ACDA-10 IO-10 OES-05 AEC-07 AECE-00

OMB-01 CIAE-00 PM-03 H-02 INR-07 L-02 NSAE-00 NSC-05

PA-02 RSC-01 PRS-01 SP-02 SS-15 USIA-15 DLOS-05 /104 W

----- 023018

P 240845Z JAN 75

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 7530

INFO SECDEF WASHDC PRIORITY

JCS WASHDC PRIORITY

CNO WASHDC PRIORITY

CINCPAC HONOLULU PRIORITY

COMUSJAPAN YOKOTA AB PRIORITY

COMNAVFORJAPAN YOKOSUKA PRIORITY

COMSEVENTHFLT YOKOSUKA PRIORITY

CG 5TH AF YOKOTA AB JAPAN
AMCONSUL NAHA
CINCPACFLT MAKALAPA
CINCPACFLT MAKALAPA AFB HAWAII
AMEMBASSY CANBERRA
AMEMBASSY MANILA
AMEMBASSY SEOUL

UNCLAS SECTION 2 OF 2 TOKYO 0998

2. AS TO THE NAVAL SHIPS WHICH ARE CONSTANTLY EQUIPPED WITH NUCLEAR WEAPONS, THEIR PASSAGE THROUGH OR TERRITORIAL WATERS OR CALLS AT THE PORTS OF OUR COUNTRY ARE CONSIDERED TO COME UNDER THE CATEGORY OF THE BRINGING IN OF NUCLEAR WEAPONS.

3. CONCERNING WHETHER OR NOT SPECIFIC PASSAGE COMES UNDER THE CATEGORY OF INNOCENT PASSAGE, UNDER GENERAL INTERNATIONAL LAW, IT IS UNDERSTOOD THAT PRIMARY JUDGMENT IN DETERMINING WHAT KIND OF PASSAGE IS INNOCENT IS ENTRUSTED TO THE COASTAL NATION, WITHIN THE FRAMEWORK OF THE GENERAL STANDARDS STIPULATED IN THE TERRITORIAL WATERS TREATY.

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 TOKYO 00998 02 OF 02 241020Z

RM CONCERNING ITEM I OF THE UNIFIED VIEW, (THE CONTENTS) ARE AS SHOWN IN THE ABOVEMENTIONED POINT 3, AND CONCERNING ITEM II OF THE UNIFIED VIEW, THE FACT THAT "MAJOR CHANGE IN EQUIPMENT". WHICH WILL BECOME AN OBJECT OF PRIOR CONSULTATIONS, MEANING "BRINGING IN OF NUCLEAR WARHEADS AND MEDIUM AND LONG-RANGE MISSILES, AND THE CONSTRUCTION OF THEIR BASES" WAS CLEARLY UNDERSTOOD BETWEEN JAPAN AND THE UNITED STATES IS AS MENTIONED IN THE ABOVE POINT

1. ITEM II IS UNDOUBTEDLY BASED ON THE CONTENTS OF THIS UNDERSTANDING.

AS MENTIONED ABOVE, THE CONTENTS OF THE UNIFIED VIEW ARE CLEAR, AND WE DO NOT THINK THERE WILL ARISE A PROBLEM OF REACHING CONFIRMATION AND AGREEMENT WITH THE US SIDE ONCE AGAIN.

5. WE HAVE NO INTENTION OF CONDUCTING RE-CO-ORDINATION WITH THE US GOVERNMENT ONCE AGAIN CONCERNING THE INTERPRETATION OF PRIOR CONSULTATIONS.

6. AS REGARDS THE TERRITORIAL WATERS QUESTION AT THE CONFERENCE ON THE LAW OF THE SEA, WE INTEND TO STUDY IT AT THE STAGE WHERE IT BECOMES CLEAR OF WHAT CONTENTS IT WILL BE, IN CASE AN INTERNATIONAL CONSENSUS IS FORMED ON THIS QUESTION, PARTLY BECAUSE OF THE PROBLEMS INCLUDING THE HANDLING OF THE INTERNATIONAL STRAITS.

7. SINCE OUR COUNTRY IS TAKING THE POSITION THAT PASSAGE THROUGH TERRITORIAL WATERS BY FOREIGN NAVAL SHIPS WHICH ARE CONSTANTLY EQUIPPED WITH NUCLEAR WEAPONS DOES NOT COME UNDER THE CATEGORY OF INNOCENT PASSAGE, SUCH NAVAL SHIPS PASSAGE THROUGH OUR TERRITORIAL WATERS CANNOT BE REGONIZED TOBE INNOCENT PASSAGE. ACCORDINGY, IT IS CONSIDERED THAT THEY SHOULD SEEK OUR COUNTRY'S PERMISSION FOR PASSAGE. IN THAT CASE, OUR COUNTRY WILL PROBABLY COME TO REFUSE THOSE NAVAL SHIP'S PASSAGE THROUGH TERRITORIAL WATERS. UNQUOTE.

4. EMBASSY COMMENTARY WILL FOLLOW BY SEPTTEL.
HODGSON

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: VISITS, NAVAL SHIPS, NUCLEAR WEAPONS
Control Number: n/a
Copy: SINGLE
Draft Date: 24 JAN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975TOKYO00998
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750027-0508
From: TOKYO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750121/aaaaasfe.tel
Line Count: 289
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 75 STATE 015451, 75 (NOTATOKYO 0917
Review Action: RELEASED, APPROVED
Review Authority: buchant0
Review Comment: n/a
Review Content Flags:
Review Date: 09 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09 APR 2003 by RuthemTJ>; APPROVED <07 JAN 2004 by buchant0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: GOJ FORMAL WRITTEN STATEMENT ON NUCLEAR TRANSIT
TAGS: MARR, JA, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006